

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RUDY MARTIN,
Plaintiff,

v.

WELLS FARGO BANK, N.A.,
Defendant.

Case No. [5:18-cv-05119-EJD](#)

ORDER TO SHOW CAUSE

On July 23, 2019, Defendant filed a motion to dismiss the First Amended Complaint and noticed the motion for hearing before Judge DeMarchi on September 3, 2019. Dkt. No. 57. On July 24, 2019, Judge DeMarchi vacated the hearing and directed Defendant to re-notice the motion for hearing before the undersigned Judge. Dkt. No. 58. On July 24, 2019, Defendant re-noticed the motion for hearing as directed. Pursuant to Civil Local Rule 7-3, Plaintiff was required to file an opposition to Defendant's motion no more than 14 days later, that is by August 7, 2019. Civil L.R. 7-3(a). Plaintiff failed to do so.

The court hereby issues an ORDER TO SHOW CAUSE why Plaintiff's lawsuit should not be dismissed for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. Plaintiff shall file a written response to this ORDER TO SHOW CAUSE no later than December 31, 2019. If plaintiff fails to comply, the case will be dismissed for failure to prosecute.

IT IS SO ORDERED.

Dated: December 10, 2019



EDWARD J. DAVILA
United States District Judge

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